THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :19426 OF 2007

DATED:13-09-2007

BETWEEN:

Tumuluri Anuradha.

..... PETITIONER

AND

Government of Andhra Pradesh,
Rep., by its Principal Secretary,
Revenue Department,
Secretariat Building,
Hyderabad & 2 others.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the respondents in interfering with the petitioner's peaceful possession and enjoyment of plot No.252, admeasuring 216 sq.yards in Sy.No.74/12 of Road No.4,
M/s Trimurthy Colony, Mahendra Hills, East Marredpalli, Secunderabad, and also in interfering with the construction activity in the said plot, as illegal and arbitrary.

3. It is the case of the petitioner that she has purchased the above plot vide registered sale deed document No.1380/95, dated 25-02-1995, in the office of the Sub-Registrar, Marredpally, Secunderabad, and since then she has been in possession of the said property. Whileso, when she has applied for 'No Objection Certificate' 2nd respondent-District Collector, Hyderabad informed that the said plot belongs to the Government, and therefore she is not entitled for any regularization or making any construction. It is stated that the Land Grabbing Case No.167/1997 is pending on the file of the Special Court constituted under the A.P.Land Grabbing (Prohibition) Act (for brevity, 'the Act') in respect of the entire land in Sy.No.74 including the land in Sy.No.74/12 of East Marredpally

claiming it as a Government land and the petitioner is not a party to the said case.

4. Learned Government Pleader submits that the vendor of the petitioner is a party to the said case. It is further stated that a batch of similar writ petitions have been disposed of by this Court requesting the Special Court constituted under the said Act to dispose of L.G.C.No.167/97 expeditiously whether or not the petitioner is impleaded by the Revenue Officers.

5. In view of the disposal of the similar Writ Petitions by this Court, one of which is W.P.No.9037 of 2007, it is open for the petitioner also to implead himself in L.G.C.No.167/97 and it is also open for the 3rd respondent-Mandal Revenue Officer to implead the petitioner herein even though his vendor was already impleaded, and whether or not the petitioner is impleaded respondents shall not interfere with the possession of the petitioner pending disposal of L.G.C.No.167 of 2997. At the same time, petitioner is not entitled to make any constructions or change the nature of the lands pending disposal of L.G.C.No.167/97 by the Special Court constituted under the Act.

6. Accordingly, Writ Petition is disposed of. There shall be no order as to costs.

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V.ESWARAIAH,J

13th September, 2007.
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